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8 UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 vs.

13 JOHN BADEA, and
14 RADU GAL

Defendants.

2:19-cr-00017-APG-VCF

Stipulation For a Protective Order

15 The parties, by and through the undersigned, respectfully request that the Court issue an
16 Order protecting from disclosure to the public, or any third party not directly related to this
17 case, any documents, recordings, or other tangible things produced by the Government during
18 discovery, containing personal identifying information of victims and financial records. The
19 parties state as follows:

20 1. The indictment, (ECF Nos. 19), was returned by the grand jury on January 22,
21 2019.

22 2. Arraignment and Plea is set for January 31, 2019 at 3:00 p.m. before the
23 honorable Magistrate Judge Peggy Leen, courtroom 3B. The Office of the Federal Public
24

1 Defender was appointed to this case to represent defendant John Badea, (“Badea”), on January
2 9, 2019, and Assistant Federal Public Defender, Heidi A Ojeda, filed a Notice of Appearance
3 on January 15, 2019. (ECF Nos. 18). On January 10, 2019, Todd M. Leventhal, Esq. was
4 appointed as CJA counsel representing defendant Radu Gal, (“Gal”). (ECF No. 12). Upon the
5 appointment of all defense counsel, the Government desires and intends to produce discovery
6 as soon as possible.

7 3. The indictment in this case arises out of Badea and Gal’s criminal conspiracy and
8 scheme and plan to defraud the State of Nevada (“the State”) and approximately 160 identity
9 theft victims by assuming the victims’ identities to claim the victims’ unclaimed property held
10 by the State. As part of the scheme, Badea used a fictitious company, LawScribe, to purchase
11 the victims’ personal identifying information (“PII”), including but not limited to their social
12 security numbers, which he and Gal used to assume the victims’ identities. Badea and Gal
13 negotiated the fraudulently obtained claim checks by depositing them into bank accounts
14 controlled by the defendants. As a result, there is more than 10,000 pages of discovery and
15 numerous forensic exams of electronic devices seized from the defendants. The discovery
16 includes, but is not limited to, victims’ PII and financial records. (“Protected Information”).
17 The “Protected Information” is subject to this protective order.

18 4. The Government believes this order is necessary as the dissemination of the
19 “Protected Information,” could endanger victims’ privacy and potentially subject them to
20 future identity theft crimes.

21 5. In order to protect the privacy of the victims and witnesses, the parties intend to
22 restrict access to the following individuals: the defendant, attorneys for all parties, and any
23 personnel that the attorneys for all parties consider necessary to assist in performing those
24 attorneys’ duties in the prosecution or defense of this case, including investigators, paralegals,

1 retained experts, support staff, and any other individuals specifically authorized by the Court
2 (collectively, the “Covered Individuals”).

3 6. The Covered Individuals shall be advised of the Protective Order, and as such
4 without leave of Court, the Covered Individuals shall not:

- 5 a. make copies for, or allow copies of any kind to be made by any other
6 person of the “Protected Information” in this case;
- 7 b. allow any other person to read, listen, or otherwise review the
8 “Protected Information” in this case;
- 9 c. use the “Protected Information” for any other purpose other than preparing
10 to defend against or prosecute the charges in the indictment or any further
11 superseding indictment arising out of this case; or
- 12 d. attach any “Protected Information” to any of the pleadings, briefs, or other
13 court filings except to the extent those pleadings, briefs, or filings are filed
14 under seal or properly compliant with LR IC 6-1.

15 7. Nothing in this stipulation is intended to restrict the parties’ use or introduction
16 of the “Protected Information” as evidence at trial or support in motion practice.

17 8. The parties shall inform any person to whom disclosure may be made pursuant
18 to this order of the existence and terms of this Court’s order.

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1 9. The parties reserve the right to seek to modify the terms of this protective order at
2 a later time pursuant to Federal Rule of Criminal Procedure 16(d)(1). Should a reasonable need
3 for this protective order cease to exist, on grounds other than a Covered Individual or some
4 other person violating or circumventing its terms, the government will move expeditiously for
5 its dissolution.

6 10. The defense hereby stipulates to this protective order.

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8 DATED: January 25, 2019

9 Respectfully submitted,
For the United States:

10 NICHOLAS A. TRUTANICH
United States Attorney

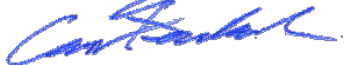
11 /s/ Kimberly M. Frayn
12 KIMBERLY M. FRAYN
Assistant United States Attorney

13 For the Defendants:

14 /s/ Heidi A. Ojeda
15 HEIDI A. OJEDA
Assistant Federal Public Defender
16 Attorney for John Badea

17 /s/ Todd M. Leventhal
18 TODD M. LEVENTHAL, Esq.
Attorney for Radu Gal

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20 **IT IS SO ORDERED:**

21 

22 THE HONORABLE CAM FERENBACH
United States Magistrate Judge

1-28-2019

Date